



Order Filed on May 24, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-1(b)

FOX ROTHSCHILD LLP

Joseph J. DiPasquale, Esquire
Michael J. Viscount, Jr., Esquire
Martha B. Chovanes, Esquire
1301 Atlantic Avenue
Midtown Building, Suite 400
Atlantic City, NJ 08401
Telephone: (609) 572-2227
Facsimile: (609) 348-6834
E-mail: jdipasquale@foxrothschild.com
mviscount@foxrothschild.com
mchovanes@foxrothschild.com

*Counsel to the Official Committee of Unsecured
Creditors*

In re:

ALUMINUM SHAPES, L.L.C.,

Debtor.

Chapter 11

Case No. 21-16520-JNP

ALUMINUM SHAPES, L.L.C.,
Plaintiff,

Adv. Pro. No. - 21-01469-JNP

DATED: May 24, 2022

EULER HERMES NORTH AMERICA INSURANCE
CO., subrogee of NORTHEAST METAL TRADERS,
INC.,

Defendant.


Honorable Jerrold N. Poslusny, Jr.
United States Bankruptcy Court

**ORDER GRANTING THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS'
MOTION FOR AN ORDER APPROVING THE SETTLEMENT
BY AND BETWEEN THE COMMITTEE AND EULER HERMES**

The relief set forth on the following pages two (2) and three (3) is hereby **ORDERED**.

Upon consideration of the motion of Plaintiff, the Official Committee of Unsecured Creditors (the "Committee") of Aluminum Shapes, L.L.C. (the "Debtor") for an order approving the settlement by and between the Committee and Euler Hermes North America Insurance Co., subrogee of Northeast Metal Traders, Inc. ("Euler") (the "Motion")¹ and any response in opposition thereto; and after notice and opportunity to be heard on the Motion; it is hereby

ORDERED as follows:

1. The Motion is **GRANTED** in its entirety;
2. The Settlement Agreement by and between the Committee and Euler attached hereto as **Exhibit A** is hereby **APPROVED**.
3. POC # is allowed and will be treated as a general unsecured claim in the amount of \$172,876.78, pursuant to [11 U.S.C. § 506\(a\)\(1\)](#);
4. No portion of POC #5 is allowed or will be treated as a secured claim. The entire claim will be allowed and treated as a general unsecured claim in the amount of \$172,876.78;
5. POC #5 is hereby deemed an allowed general unsecured claim in the amount of \$172,876.78 without the necessity of filing an amended proof of claim;

¹ Capitalized terms used in this Order but not defined herein shall have the meanings ascribed to such terms in the Motion.

6. The Judgment and any Lien asserted by Euler is hereby avoided pursuant to 11 U.S.C. §§ 502(d), 506(a)(1), 506(d), 544, and 547; and

7. Adversary Proceeding Number 21-01469-JNP is **DISMISSED WITH PREJUDICE AND WITHOUT COSTS.**

8. The Committee and Euler are authorized to take all actions necessary to effectuate and consummate the resolution contemplated by the Settlement Agreement, and the execution and delivery of any documents, agreements, or other instruments.

9. This Court shall retain jurisdiction to interpret and enforce the terms of the Settlement Agreement and this Order.